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**IN THE UNITED STATES BANKRUPTCY COURT  
DISTRICT OF UTAH**

<p>IN RE:</p> <p>MICHAEL DUNN, Debtors</p>	<p>Case no. 23-20143 Judge Hunt Chapter 7</p>
<p>MICHAEL DUNN, Plaintiff,  v.  US DEPARTMENT OF EDUCATION, REUNION STUDENT LOAN FINANCE CORPORATION, ZUNTA FI, and unknown entities or trusts holding student loan debt,  Defendants</p>	<p>Adversary no. _____ Judge Hunt</p>

**COMPLAINT TO DETERMINE DISCHARGEABILITY OF DEBT**

1. The purpose of this complaint is to determine the dischargeability of debt pursuant to 11 U.S.C. 523(a)(8).

2. On January 16, 2023, the Plaintiff debtor filed a Chapter 7 bankruptcy proceeding in this Court. This matter concerns a determination as to the dischargeability of a particular debt and is therefore a core proceeding. This Court has jurisdiction pursuant to 28 U.S.C. 157(b)(2)(I) and 1334.

3. The debtor holds several loans under the United States Department of Education, Reunion Student Loan Finance Corporation and ZuntaFi and are creditors in the above-referenced matter.

4. The Plaintiff incurred various debts in the original amount of \$73,190 subsidized and unsubsidized with the Defendants including, but not limited to, the following terms:

- a. 12/5/08
- b. 2/24/09
- c. 8/26/09
- d. 11/6/10
- e. 8/20/10
- f. 4/12/11
- g. 12/15/11
- h. 9/2/11
- i. 8/7/13
- j. 8/27/13
- k. 10/9/14
- l. 10/9/14.

5. On information and belief, these debts were for educational loans made, insured or guaranteed by a governmental unit, or made under a program funded in whole or in part by a governmental unit or in the alternative are qualified education loans, as defined in section 221(d)(1) of the Internal Revenue Code of 1986. If the debts are not of the sort described, they should be held dischargeable.

6. On or about January 16, 2023, the Plaintiff filed a petition for relief under Chapter 7 of the Bankruptcy Code.

7. The Plaintiff listed on Schedule F of said petition a student loan in the original amount of \$73,190 which is owed to the United States Department of Education.
8. The repayment of said student loan debt will impose an undue hardship on the Plaintiff.
9. Plaintiff asserts that one or more of the following facts, or other facts not yet identified or discovered, justify a conclusion that repayment will impose an undue hardship on the Plaintiff:
  - a. Plaintiff has one dependent child aged 3.
  - b. Plaintiff has medically refractory primary generalized epilepsy. This is a lifelong disease with no current. The last 8 years he has not been able to work consistently. Although he currently is working, his work is limited.
  - c. Plaintiff's current position as substitute teaching at the school is the best employment he can currently obtain, and he has no expectation of any significant raise or transfer to a better position in the near future.
  - d. Plaintiff's income is less than 49% of the median income for a family of two.
  - e. Plaintiff's monthly income on Schedule I is \$2,409.
  - f. Plaintiff's monthly expenses on Schedule J are \$2,909 which exceeds his income.
  - g. Plaintiff pays child support for his son which can reach 50 percent of his income. Further, he owes a child support arrearage of approximately \$50,000.
  - h. Plaintiff's car is old. Although with the medical condition, it is likely that he will not be able to maintain a driver's license.
10. Plaintiff cannot maintain, based on current income and expenses, a minimal standard of living for him and his family if forced to repay the above student loans.

11. The circumstances described above will continue as there is no cure for Plaintiff's disease and thus, there is no ability to pay for the majority of the repayment period of the above student loans.

12. Plaintiff has made good faith efforts to repay the above student loans. Plaintiff consolidated the loans to assist in repayment.

WHEREFORE, the Plaintiff prays that this Court enter an Order declaring the above-referenced student loan debt of the Plaintiff to be dischargeable in the above-captioned bankruptcy case.

DATED this 17 day of April 2023.  
Respectfully submitted.

MEREDITH LAW OFFICE, PC  
/s/ Lillian M. Reedy  
**Lillian M. Reedy,**  
**Counsel for Plaintiff**